

Allowable Subject Matter

Claims 1 and 6-8 are allowed.

The following is an examiner's statement of reasons for allowance: The closest prior art references EP1101760 and US 5,362,704 teaches the compounds pyrimisulfan (A) and fentrazamide (B), respectively. Both are known herbicides, however the present claims are directed to a herbicidal composition comprising A and B in a ratio of 1:1 to 1:15. Applicants have demonstrated unexpected results in the declaration filed 11/19/2009, Table 2. Table 2 demonstrates a superior weed-controlling effect in rock's bulrush where the ratios of A:B are 1:1, 1:6, 1:10 and 1:15. The predicted index of weed control for the combination A:B according to the Colby formula for the above ratios are 2, 3.6, 3.6 and 5.2, respectively. The declaration demonstrates the following index of weed control for the combination of A:B for the above ratios: 5, 9, 9 and 10. According to Table 1 this is an overall increase in growth inhibition of 20-50% over the expected additive value of A and B. Hence, the combination has demonstrated superior growth inhibition than what would have been expected.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIELLE SULLIVAN whose telephone number is

(571)270-3285. The examiner can normally be reached on 7:30 AM - 5:00 PM Mon-Thur EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Johann Richter can be reached on (571) 272-0646. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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